

*DIETETIC EXAMINERS*

CHAPTER 80  
BOARD OF DIETETIC EXAMINERS  
[Prior to 5/18/88, Health Department[470]—Ch 162]

**645—80.1(152A) Definitions.**

*“Board”* means the board of dietetic examiners.

*“Department”* means the department of public health.

*“Dietetics”* means the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food, management, and behavioral and social sciences to achieve and maintain peoples’ health. The primary function of dietetic practice is the provision of nutrition care services that shall include:

- a. Assessing the nutrition needs of individuals and groups and determining resources and constraints in the practice setting.
- b. Establishing priorities, goals, and objectives that meet nutrition needs and are consistent with available resources and constraints.
- c. Providing nutrition counseling in health and disease.
- d. Developing, implementing, and managing nutrition care systems.
- e. Evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition services.

*“Licensed dietitian”* or *“licensee”* means any person licensed to practice dietetics in the state of Iowa.

*“License renewal biennium”* means from the fifteenth day of the licensee’s birth month in an even-numbered year to the fifteenth day of the licensee’s birth month two years later.

*“Nutrition assessment”* means the evaluation of the nutrition needs of individuals and groups based upon appropriate biochemical, anthropometric, physical, and dietary data to determine nutrient needs and recommend appropriate nutrition intake including enteral and parenteral nutrition.

*“Nutrition counseling”* means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status.

*“Registered dietitian”* means a dietitian who has met the standards and qualifications of the Commission on Dietetic Registration, a member of National Commission for Health Certifying Agencies.

**645—80.2(152A) Availability of information.**

**80.2(1)** All information regarding rules, forms, time and place of meetings, minutes of meetings, record of hearings, and examination results are available to the public between the hours of 8 a.m. and 4:30 p.m., Monday to Friday, except holidays.

**80.2(2)** Information may be obtained by writing to the Board of Dietetic Examiners, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075. All official correspondence shall be in writing and directed to the board address.

**645—80.3(152A) Organization and proceedings.**

**80.3(1)** The board shall consist of five members appointed by the governor and confirmed by the senate. The board shall include one licensed dietitian representing the approved or accredited dietetic education programs, one licensed dietitian representing clinical dietetics in hospitals, one licensed dietitian representing community nutrition services and two members who are not licensed dietitians and who shall represent the general public. The effective date of Iowa Code chapter 152A was July 1, 1985. A quorum shall consist of a majority of the members of the board. For the initial terms of members of the board, the governor shall appoint one member to serve a term of one year, two members to serve a term of two years, and two members to serve a term of three years.

**80.3(2)** A chairperson, vice chairperson and secretary shall be elected at the first meeting after April 30 of each year.

**80.3(3)** The board shall hold at least an annual meeting and may hold additional meetings called by the chairperson or by a majority of its members. The chairperson shall designate the date, place, and time prior to each meeting of the board. The board shall follow the latest edition of Robert's Revised Rules of Order at its meeting whenever any objection is made as to the manner in which it proceeds at a meeting.

**645—80.4(152A) Requirements for licensure.** An applicant for a license as a dietitian shall meet the following requirements.

**80.4(1)** An applicant shall be issued a license to practice dietetics by the board when the applicant satisfies all of the following:

*a.* Possesses a baccalaureate degree or postbaccalaureate degree from a U.S. regionally accredited college or university with a major course of study in human nutrition, food and nutrition, nutrition education, dietetics, or food systems management, or in an equivalent major course of minimum academic requirements as established by the American Dietetic Association and approved by the board. Applicants who have obtained their education outside of the U.S. and its territories must have their academic degrees validated as equivalent to the baccalaureate or master's degree conferred by a U.S. regionally accredited college or university and approved by the board.

*b.* Completes a documented supervised practice experience component in a dietetic practice of not less than 900 hours under the supervision of a registered dietitian, a licensed dietitian or an individual with a doctoral degree conferred by a U.S. regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics or food systems management. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtained their doctoral degree outside of the United States and its territories must have their degree validated as equivalent to the doctoral degree conferred by a U.S. regionally accredited college or university.

*c.* Satisfactorily completes an examination approved by the board. See 645—80.6(152A) Examinations.

**80.4(2)** Rescinded IAB 5/13/92, effective 6/17/92.

**80.4(3)** Rescinded IAB 4/26/95, effective 5/31/95.

**80.4(4)** The board may waive the examination requirement for an applicant who can show proof of a current registration card from the commission on dietetic registration at the time of application. All applicants providing proof of a current registration card from the commission on dietetic registration who have not been employed in the practice of dietetics within the past five years shall submit to the board a list of each continuing education program completed within the past two years. The board may require additional continuing education in order to grant licensure.

**80.4(5)** A license is not required for dietitians who are in this state for the purpose of consultation when they are licensed in another state, U.S. possession, or country, or have received at least a baccalaureate degree in human nutrition from a U.S. regionally accredited college or university. Consultation means the practice of dietetics in affiliation with, and at the request of, a dietitian licensed in this state on behalf of a specific patient.

This rule is intended to implement Iowa Code section 147.29.

**645—80.5(152A) Requirements for temporary licensure.**

**80.5(1)** An applicant who will be taking the written examination within four months following graduation may be granted a temporary license if evidence of completion of the required academic and experience requirements for licensure is included with the application to the board. The applicant must provide verification of the date of the scheduled examination to the board.

**80.5(2)** The temporary license shall expire if the applicant fails the examination and employment as a dietitian must then cease until such time as the examination is passed and permanent licensure is granted.

**80.5(3)** Only one temporary license shall be issued to each applicant.

**80.5(4)** Applicants shall submit a notarized copy of the results of the examination within two weeks of receipt of the results. Results shall be sent to the Board of Dietetic Examiners, Department of Public Health, Lucas State Office Building, Fifth Floor, Des Moines, Iowa 50319-0075.

**645—80.6(152A) Application.**

**80.6(1)** Any person seeking a license shall complete and submit to the board a completed application form which is provided by the board.

**80.6(2)** The application form shall be completed in accordance with instructions contained in the application.

**80.6(3)** Each application shall be accompanied by a check or money order in the amount required payable to the Iowa board of dietetic examiners.

**80.6(4)** No application will be considered by the board until requested supporting documents and fee have been received by the board.

**80.6(5)** Applications for licensure which do not meet the minimum criteria for licensure shall be retained by the professional licensure division for a maximum of five years from the date the application was received. Persons whose application for licensure is more than five years old must submit a new application and fee(s).

**645—80.7(152A) Examinations.** In order to qualify for licensing the applicant will be required to take the registration examination for dietitians of the commission on dietetic registration. The board will accept the passing score set by the commission on dietetic registration.

**645—80.8(152A) License renewal.**

**80.8(1)** Beginning January 1, 2000, a license to practice as a dietitian shall expire every two years on the fifteenth day of the licensee’s birth month. Continuing education requirements shall be completed within the same renewal period for each license holder.

**80.8(2)** An application and a continuing education report form for renewal of a license to practice as a dietitian shall be mailed to the licensee at least 60 days prior to the expiration of the license. Failure to receive the renewal application shall not relieve the license holder of the obligation to pay biennial renewal fees on or before the renewal date.

**80.8(3)** The licensee shall submit to the board office 30 days before licensure expiration the renewal fee as specified in 80.9(152A) and the continuing education report form.

**80.8(4)** A penalty fee is required in addition to the renewal fees for late renewal within 30 days following the license expiration date. The license is lapsed 31 days after the expiration date. An application for reinstatement must be filed with the board with the reinstatement fee, the renewal fee and the penalty fee as outlined in 80.9(152A). Licensees submitting late renewal or application for reinstatement of license shall be subject to an audit of their continuing education report.

**80.8(5)** The continuing education biennium will be the same as the licensee’s renewal biennium, which shall be for two years from the fifteenth day of the licensee’s birth month.

**80.8(6)** Licensees who were issued their initial license within six months prior to their birth month will not be required to renew their license until the fifteenth day of their birth month two years later. All new licensees are exempt from meeting the continuing education requirement for the continuing education biennium in which the license is originally issued, but the renewal fee for the first renewal shall not be waived. Licensees will be required to report 30 hours of continuing education for every renewal thereafter.

**80.8(7)** Dietitians who have not fulfilled the requirements for license renewal or an exemption in the required time frame will have a lapsed license and shall not engage in the practice of dietetics.

**645—80.9(152A) Fees.** All fees are nonrefundable.

**80.9(1)** Application fee for a license to practice dietetics is \$100. Biennial renewal fee for a license to practice dietetics for the 2000 renewal cycle only is as follows:

<u>Birth Month</u>	<u>Prorated Fee</u>
January 2000	\$100
February 2000	\$104
March 2000	\$108
April 2000	\$112
May 2000	\$117
June 2000	\$121
July 2000	\$125
August 2000	\$129
September 2000	\$133
October 2000	\$137
November 2000	\$142
December 2000	\$146

**80.9(2)** Biennial renewal fee for a license to practice dietetics is \$100.

**80.9(3)** Penalty fee for failure to submit renewal fee when due is \$25.

**80.9(4)** Reinstatement fee is \$50.

**80.9(5)** Penalty fee for failure to complete continuing education during the correct compliance period is \$25.

**80.9(6)** Fee for a duplicate license if the original is lost or stolen is \$10.

**80.9(7)** Fee for a certified statement that a licensee is licensed in this state is \$10.

**645—80.10 to 80.99** Reserved.

**645—80.100(152A,272C) Grounds for discipline.** The board may impose any of the disciplinary sanctions set forth in these rules, including civil penalties in an amount not to exceed \$1000, when the board determines that the licensee is guilty of any of the following acts or offenses:

**80.100(1)** Fraud in procuring a license. Fraud in procuring a license includes, but is not limited to, an intentional perversion of the truth in making application for a license to practice dietetics in this state, and includes false representations of a material fact, whether by word or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed when making application for a license in this state, or attempting to file or filing with the board or the Iowa department of public health any false or forged diploma, or certificate or affidavit or identification or qualification in making an application for a license in this state.

**80.100(2)** Professional incompetency. Professional incompetency includes, but is not limited to:

*a.* A substantial lack of knowledge or ability to discharge professional obligations within the scope of the dietitian's practice;

*b.* A substantial deviation by the dietitian from the standards of learning ordinarily possessed and applied by other dietitians in the state of Iowa acting in the same or similar circumstances;

*c.* A failure by a dietitian to exercise in a substantial respect that degree of care which is ordinarily exercised by the average dietitian in the state of Iowa acting in the same or similar circumstances; and

*d.* A willful or repeated departure from or the failure to conform to the minimal standard of acceptable and prevailing practice of dietetics in the state of Iowa.

**80.100(3)** Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of a profession or engaging in unethical conduct as provided by rule 80.212(152A,272C) or practice harmful or detrimental to the public. Proof of actual injury need not be established. Practice harmful or detrimental to the public includes, but is not limited to, the failure of a dietitian to possess and exercise that degree of learning and care expected of a reasonably prudent dietitian acting in the same or similar circumstances in this state.

**80.100(4)** Habitual intoxication or addiction to the use of drugs. The inability of a dietitian to practice with reasonable skill and safety by reason of the excessive use of alcohol, drugs, narcotics, chemicals or other type of material on a continuing basis, or the excessive use of alcohol, drugs, narcotics, chemicals or other type of material which may impair a dietitian's ability to practice the profession with reasonable skill and safety.

**80.100(5)** Conviction of a felony related to the profession or occupation of the licensee, or the conviction of any felony that would affect the licensee's ability to practice within a profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

**80.100(6)** Use of untruthful or improbable statements in advertisements. Use of untruthful or improbable statements in advertisements includes, but is not limited to, an action by a dietitian in making information or intention known to the public which is false, deceptive, misleading or promoted through fraud or misrepresentation and includes statements which may consist of, but are not limited to:

*a.* Inflated or unjustified expectations of favorable results.

*b.* Self-laudatory claims that imply that the dietitian is a skilled dietitian engaged in a field or specialty of practice for which the dietitian is not qualified.

*c.* Extravagant claims or proclaiming extraordinary skills not recognized by the dietetic profession.

**80.100(7)** Willful or repeated violations of the provisions of these rules and Iowa Code chapter 147.

**80.100(8)** Violating a regulation or law of this state, or the United States, which relates to the practice of dietetics.

**80.100(9)** Failure to report a license revocation, suspension or other disciplinary action taken by a licensing authority of another state, district, territory or country within 30 days of the final action by such licensing authority. A stay by an appellate court shall not negate this requirement; however, if such disciplinary action is overturned or reversed by a court of last resort, such report shall be expunged from the records of the board.

**80.100(10)** Failure of a licensee or an applicant for licensure in this state to report any voluntary agreements to restrict the practice of dietetics entered into in another state, district, territory or country.

**80.100(11)** Knowingly aiding, assisting, procuring, or advising a person to unlawfully practice dietetics.

**80.100(12)** Failure to identify oneself as a dietitian to the public.

**80.100(13)** Violating a lawful order of the board, previously entered by the board in a disciplinary hearing or pursuant to informal settlement.

**80.100(14)** Being adjudged mentally incompetent by a court of competent jurisdiction.

**80.100(15)** Making suggestive, lewd, lascivious or improper remarks or advances to a patient or client.

**80.100(16)** Knowingly submitting a false report of continuing education or failure to submit the biennial report of continuing education.

**80.100(17)** Failure to comply with a subpoena issued by the board.

**80.100(18)** Failure to file the reports required by these rules concerning acts or omissions committed by another licensee.

**80.100(19)** Obtaining any fee by fraud or misrepresentation.

**80.100(20)** Failing to exercise due care in the delegation of dietetic services to or supervision of assistants, employees or other individuals, whether or not injury results.

**645—80.101(152A,272C) Principles.** The dietetic practitioner shall:

1. Provide professional services with objectivity and with respect for the unique needs and values of individuals.

2. Avoid discrimination against other individuals on the basis of race, creed, religion, sex, age, and national origin.

3. Fulfill professional commitments in good faith.

4. Conduct oneself with honesty, integrity, and fairness.

5. Remain free of conflict of interest while fulfilling the objectives and maintaining the integrity of the dietetic profession.

6. Maintain confidentiality of information.

7. Practice dietetics based on scientific principles and current information.

8. Assume responsibility and accountability for personal competence in practice.

9. Recognize and exercise professional judgment within the limits of the qualifications and seek counsel or make referrals as appropriate.

10. Provide sufficient information to enable clients to make their own informed decisions.

11. Inform the public and colleagues by using factual information and shall not advertise in a false or misleading manner.

12. Promote or endorse products in a manner that is neither false nor misleading.

13. Permit use of the practitioner's name for the purpose of certifying that dietetic services have been rendered only after having provided or supervised the provision of those services.

14. Accurately present professional qualifications and credentials.

15. Present substantiated information and interpret controversial information without personal bias, recognizing that legitimate differences of opinion exist.

16. Make all reasonable effort to avoid bias in any kind of professional evaluation and provide objective evaluation of candidates for professional association membership, awards, scholarships, or job advancements.

**645—80.102(152A) Procedures for approval of continuing education activities.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.103(152A) Hearings.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.104(152A) Retention of continuing education records.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.105(152A) Disability or illness.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.106(152A) Inactive licensure.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.107(152A) Reinstatement of inactive license.** Rescinded IAB 11/1/00, effective 12/6/00.

**645—80.108(152A) Reinstatement of lapsed licenses.** Rescinded IAB 11/1/00, effective 12/6/00.  
These rules are intended to implement Iowa Code chapters 152A and 272C and Iowa Code section 147.55.

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